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EXAMINER

JONES, SCOTT E

ART UNIT PAPER NUMBER

3713

DATE MAILED: 08/28/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/011,023

Applicant(s)

SCALLIE, LAURENT

Examiner

Scott E. Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on June 23, 2003 in which applicant amends claims 1, 2, 5, 7, 9, and 10, cancels claim 13, adds claim 15, amends the specification, and responds to the claim rejections. Claims 1-12 and 14-15 are pending.

Oath/Declaration

2. A new oath or declaration is required because applicant accidentally claims benefit of U.S. Provisional Application No. 60/244,796 under 35 U.S.C. 120 rather than claim benefit under 35 U.S.C. 119(e). Although the examiner objects to the declaration, the application has been examined on the merits based upon receiving benefit under 35 U.S.C. 119(e). See MPEP §§ 602.01 and 602.02.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 15 recites the limitation "the control codes" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (4,335,809) in view of Ehrman (U.S. 5,984,786).

Wain discloses a system and method for both gaming and non-gaming amusement machines (satellite computers) linked via a communications network to a main control device (mission control), wherein the gaming and non-gaming amusement machines can be controlled independently or collectively to play one of a plurality of games by the main control device (mission control). Wain additionally discloses:

Regarding Claims 1 and 10:

- a mission control computer (30) which operates administrative programs for performing administrative functions for multiple game playing stations connected by the network (Figure 1);
- a plurality of game playing satellite computers (22) provided at respective game playing stations each maintaining a plurality of game programs (Figure 1);
- a network (2) connecting the mission control computer to the plurality of game playing satellite computers (Figure 1, and Column 6, line 33-37),
- wherein said mission control computer includes a mission control program for administration of the plurality of games available to be played on the game playing satellite computers by issuing generic game start commands to start any selected game programs on any of the game playing satellite computers (Column 3, line 17-29), and

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- wherein each of said game playing satellite computers includes a satellite game control program for controlling each of the plurality of game programs available to be played on the satellite computer, said satellite game control program, upon receiving a generic command to start a selected game program issued by said mission control computer, thereupon accessing the corresponding game-specific command set for a selected game program to be started on the satellite computer loading in response thereto the selected game program and the game-specific command set corresponding to the selected game program for controlling the selected game program from said game playing satellite computer, and for periodically providing said mission control computer with a status report of the status of the selected game program being played on the satellite computer (Abstract, Column 2, line 57-Column 4, line 3, Column 7, line 13-23, and Column 7, lines 37-45).

Although Wain discloses game program information is stored in memory, Wain seems to lack explicitly disclosing:

Regarding Claims 1 and 10:

- game playing stations having access to a database of game-specific command sets for controlling the play of a plurality of game programs.

Ehrman teaches of a run-time environment for multi-player, networked games which can be used to run many different types of games. The game model includes a database which stores the objects and their properties as well as the rules of the specific game, where the rules are to be executed on the objects and their properties. Ehrman and Wain are analogous art because both

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relate to gaming machines connected to a host computer via a network. Furthermore, Ehrman teaches:

Regarding Claims 1 and 10:

- game playing stations having access to a database of game-specific command sets for controlling the play of a plurality of game programs (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the database features of Ehrman in Wain. One would be motivated to do so because this allows for a master set of rules and graphics, etc. to be stored in a database residing on a host computer and automatically updating player's gaming machines when a particular game is selected to be played via a network connection.

8. Claims 3-9, 11-12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (4,335,809) in view of Ehrman (U.S. 5,984,786) and further in view of Acres (U.S. 6,431,983).

Wain in view of Ehrman teaches to one having ordinary skill in the art that as discussed above regarding claims 1 and 10. Additionally, Ehrman teaches:

Regarding Claim 4:

- wherein the satellite game control program maintains said database of game-specific command sets for each of the game programs offered on the satellite computer, and, when a generic game start command is issued by the mission control computer to start a particular game program on the satellite computer, the satellite control program loads the corresponding game-specific command set from its database to operate the

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particular game program (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54).

Regarding Claims 5 and 14:

- wherein said game-specific command sets are derived by analyzing each game program and determining a standard configuration of activation, termination and control logic control codes for each game program (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54).

Regarding Claim 6:

- wherein said mission control program maintains a database of game data based upon information provided by the satellite game playing computers, and generates one or more administrative reports from the group consisting of: system-wide gaming reports; membership and player statistics; detailed statistics on specific games played by specific players; current status of the system, hardware, and software troubleshooting (Column 7, line 64-Column 8, line 10, and Column 8, lines 22-34).

Regarding Claim 7:

- wherein a plurality of mission control computers are maintained at respective mission control sites and are connected via a network to a network server that provides an online interface of the mission control system for remote access by players (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54) .

Regarding Claim 8:

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- wherein said network server includes a master database for replicating game data from the mission control sites (Abstract, Figures 1, 3A, 3B, Column 1, line 56-Column 2, line 54).

Regarding Claim 9:

- wherein said online interface allows players to perform one or more activities of the group consisting of: looking up statistics for game programs they have played; seeing the status of game programs being played by other players; seeing statistics for comparison to game programs played at other mission control sites; downloading statistics for their own later use; maintaining their accounts; joining or maintaining their status with a group of players; and communicating with other players (Column 7, line 64-Column 8, line 34).

Wain in view of Ehrman seems to lack explicitly teaching:

Regarding Claim 11:

- a game program on a satellite computer generates a log file tracking the operation of the game program, and said satellite game control program parses the log files for predetermined keywords indicative of desired status information and provides the status information to the mission control program.

Regarding Claims 3 and 12:

- each game program on a satellite computer generates one or more of the following sources of information tracking the operation of the game program, and said satellite game control program parses the source of information for desired status information and provides the status report based thereon to the mission control program: game log

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files; dialog boxes or windows opened by the game program; messages from the Notification API; and a method used by the game program for external communications.

Acres teaches of a method and system for providing an incentive to play gaming devices connected by a network to a host computer. The system additionally tracks player activity via a smart card inserted by the player into the gaming machines. Acres, Ehrman, and Wain are analogous art because each relates to gaming machines connected to a host computer via a network. Acres teaches:

Regarding Claim 11:

- a game program on a satellite computer generates a log file tracking the operation of the game program, and said satellite game control program parses the log files for predetermined keywords indicative of desired status information and provides the status information to the mission control program (Column 31, line 9-Column 32, line 48).

Regarding Claims 3 and 12:

- each game program on a satellite computer generates one or more of the following sources of information tracking the operation of the game program, and said satellite game control program parses the source of information for desired status information and provides the status report based thereon to the mission control program: game log files; dialog boxes or windows opened by the game program; messages from the Notification API; and a method used by the game program for external communications. (Column 31, line 9-Column 32, line 48).

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It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the log file tracking features of Acres in Wain in view of Ehrman. One would be motivated to do so because this would enhance Wain in view of Ehrman's system to operate administrative programs, such as scheduling the transfer of new game or programming information, in an efficient manner.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wain (4,335,809) in view of Acres (U.S. 6,431,983).

Wain discloses a system and method for both gaming and non-gaming amusement machines (satellite computers) linked via a communications network to a main control device (mission control), wherein the gaming and non-gaming amusement machines can be controlled independently or collectively to play one of a plurality of games by the main control device (mission control). Wain additionally discloses:

Regarding Claim 2:

- a mission control computer (**30**) which operates administrative programs for performing administrative functions for multiple game playing stations connected by the network (Figure 1);
- at least one game playing satellite computer (**22**) maintaining a plurality of game programs thereon which is connected to the mission control computer via the network (Figure 1);
- wherein said game playing satellite computer includes a satellite game control program for controlling each of the plurality of game programs thereon, and upon receiving a generic game start command to start a selected game program issued by

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said mission control computer, for loading in response thereto the selected game program, and for periodically providing said mission control computer with a status report of the status of the selected game program being played on the satellite computer (Abstract, Column 2, line 57-Column 4, line 3, Column 7, line 13-23, and Column 7, lines 37-45).

Although one could determine the status of a game with Wain's system, Wain seems to lack explicitly disclosing:

Regarding Claim 2:

- a game program on the game playing satellite computer is configured to generate a text log file tracking the operation of the game program being played on the game playing satellite computer, and said satellite game control program parses the text log files for predetermined keywords indicative of desired status information on the operation of the game program and provides the status report based on the parsed keywords to the mission control computer.

Acres teaches of a method and system for providing an incentive to play gaming devices connected by a network to a host computer. The system additionally tracks player activity via a smart card inserted by the player into the gaming machines. Acres and Wain are clearly analogous art because both relate to gaming machines connected to a host computer via a network. Furthermore, Acres teaches:

Regarding Claim 2:

- a game program on the game playing satellite computer is configured to generate a text log file tracking the operation of the game program being played on the game

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playing satellite computer, and said satellite game control program parses the text log files for predetermined keywords indicative of desired status information on the operation of the game program and provides the status report based on the parsed keywords to the mission control computer (Column 31, line 9-Column 32, line 48).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the log file tracking features of Acres in Wain. One would be motivated to do so because this would enhance Wain's system to operate administrative programs, such as scheduling the transfer of new game or programming information, in an efficient manner.

Response to Arguments

10. Applicant's arguments filed June 23, 2003 have been fully considered but they are not persuasive.
11. Applicant's arguments with respect to claims 1 and 10 have been considered but are moot in view of the new ground(s) of rejection.
12. Regarding claims 3-9 which depend from claim 1 and 11, 12, and 14 which depend from claim 10, Applicant's arguments amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.
13. Regarding Claim 2, applicant alleges "Acres only describes a communication method between central and remote computers using message processing" and "Acres does not describe or suggest using log files to generate system status reports." The examiner respectfully disagrees. In particular, Acres floor controller parses through incoming message data (equivalent

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to log files) and either performs functions based on the analyzed message or can use the information to debug or troubleshoot the machines (column 31, line 9-column 32, line 48).

14. Regarding the Ehrman reference, applicant alleges, "Ehrman does not describe or suggest accessing game-specific command sets to control a game program on a mission control computer, nor uses keyword parsing of log files to generate system status reports." The examiner respectfully disagrees. Ehrman clearly describes that the database stores the "rules of the specific game." Furthermore, keyboard or mouse (24) is used to input the start command, etc. As far as the limitation, "uses keyword parsing of log files to generate system status reports", the examiner did not reject any claims with Ehrman that claimed this limitation.

15. The examiner withdraws the objections to the abstract and specification because applicant amends the specification and abstract to overcome the deficiencies.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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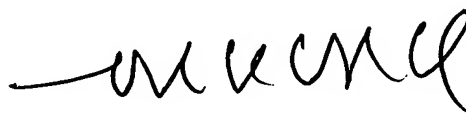
however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on (703) 308-1148. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

SEJ
sej



MICHAEL O'NEILL
PRIMARY EXAMINER